

THE LAW OFFICES OF STEVEN D. PERTUZ, LLC

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Our Ref: SP:34B-22P

1 September 2023

BAV Auto, LLC
80 Columbia Avenue
Kearny, NJ 07032 Mr. Alexander Da Costa
BAV Auto LLC

INVOICE FOR PROFESSIONAL SERVICES

Memorandum of Costs and Disbursements

BAV AUTO, LLC

Joint Administration with In re: Alexandre J. DaCosta and Vivianne C. Antunes (22-17933/22-18303 JKS)

Professional Fees

Date	Description	Hours	Amount
09/30/2022	Initial Meeting with Client in Hackensack, NJ Dunkin Donuts	2.20	\$715.00
10/03/2022	Review of all documents uploaded onto Drop Box.	2.60	\$845.00
10/03/2022	Preparation of initial Voluntary Petition, Corporate Resolution and initial pleadings needed for filing.	1.20	\$390.00
10/06/2022	Filing Fee Chapter 11		\$1,738.00
10/06/2022	Review of judgment lien, UCC and title search for BAV Auto and personal guarantee records.	1.30	\$422.50
10/06/2022	Review of emergency petition and corporate resolution with client for signature and filing.	0.60	\$195.00
10/06/2022	Phone call with client on urgency to file as floor plan lenders are trying to repossess vehicles.	0.20	\$65.00

10/07/2022	Phone call with Charles Ognibene, Esq. from Duane Morris on Vero DIP offer.	0.30	\$97.50
10/08/2022	UCC Lien and Judgment Search Fees.		\$325.00
10/10/2022	Conference Call with John Mizi, client and Charles Ognibene on options for DIP Financing and repayment terms.	0.60	\$195.00
10/11/2022	Review and revised proposed settlement agreement for balance due Vero/Lever and DIP Financing proposal with Charles Ognibene, Esq.	1.30	\$422.50
10/12/2022	Phone call with Carmine Zeccardi on BAV Auto Bankruptcy and potential interest in inventory. Discussions on Lexus of Englewood BK.	0.30	\$97.50
10/13/2022	Preparation of Retention Application for SDP LLC as counsel.	1.80	\$585.00
10/17/2022	Phone call with Carmine Zeccardi on prospective purchase of vehicles.	0.20	\$65.00
10/18/2022	Phone conference with John Oboyle, Esq. on new matter and need to personal representation for Order To Show Cause and possible personal bankruptcy options.	2.50	\$812.50
10/18/2022	Phone call with John O'Boyle, Esq. on personal bankruptcy of DaCosta/Antunes and all issues involved.	1.30	\$422.50
10/18/2022	Email to John O'Boyle, Esq. lien search against business and individuals for bankruptcy. Review of all complete lien search and determining status of creditors and their position.	0.90	\$292.50
10/19/2022	Phone call with Monica Kirkpatrick from Legalist on DIP Financing opportunities.	0.30	\$97.50
10/19/2022	Conference call with Vivianne, Alexander and John O'Boyle, Esq. regarding need to file personal bankruptcy and review	0.60	\$195.00

	of relief requested in Order to Show Cause.		
10/20/2022	Review of inventory list and submitted same to Carmine Zeccardi on potential interest.	0.50	\$162.50
10/22/2022	Review of all records provided by the Client and preparation of schedules.	6.00	\$1,950.00
10/24/2022	Email to Alan Atkins with attached inventory to determine fee for a report.	0.10	\$32.50
10/25/2022	Conference call with Legalist DIP Financing Lender on options regarding possible loan.	0.50	\$162.50
10/25/2022	Phone call with George Lawler and Alex on review of inventory list and interest in purchasing inventory.	0.30	\$97.50
10/27/2022	Phone call with John O'Boyle, Esq. on status of negotiations with potential buyers and case moving forward. Options for joint administration in Subchapter 5 scenario.	0.40	\$130.00
10/27/2022	Review and response to email from Trustee Mark Politan, Esq. and status of where things stand.	0.20	\$65.00
10/28/2022	Review or Order of Retention for SDP LLC	0.10	\$32.50
10/30/2022	Preparation of all schedules and review of all loan, banking and corporate documents.	5.50	\$1,787.50
10/31/2022	Review of all documents to finalize preparation of schedules and Statement of Financial Affairs.	4.50	\$1,462.50
10/31/2022	Phone conference with Alex DaCosta on items to be discussed at IDI with the Business Examiner.	0.60	\$195.00
10/31/2022	Preparation and review of Statement required as per U.S.C. 1116 and Statement of Corporate Ownership.	0.30	\$97.50
11/01/2022	Initial Debtor Interview with Office of US Trustee and Sub 5 Chapter 11 Trustee.	1.30	\$422.50

11/01/2022	Review of Order Respecting Amendments to schedules for service.	0.20	\$65.00
11/04/2022	Review of Notice regarding Telephonic 341(a).	0.10	\$32.50
11/08/2022	Meeting with clients and John O'Boyle, Esq. to discuss options on case and converting to Sub V on personal side. Review of assets to pay into the case and review of questions for 341A hearing.	2.20	\$715.00
11/08/2022	Phone call with John O'Boyle, Esq. on Motion for Joint Administration and need to prepare same.	0.40	\$130.00
11/09/2022	Preparation for and attendance of 341(a) Hearing telephonically with clients.	2.50	\$750.00
11/14/2022	Phone conference with Peter D'Auria, Esq., Mark Politan, Esq. and John O'Boyle, Esq. regarding joint administration and conversion of Chapter 13 case to Sub Chapter 5.	0.60	\$195.00
11/15/2022	Initial review of Motion For Relief From Stay by AFC.	0.30	\$97.50
11/15/2022	Review and comments on Motion For Joint Administration before filing.	0.30	\$97.50
11/16/2022	Review of Individual Debtor's Motion To Convert Case to Chapter 11 and For Joint Administration.	0.20	\$65.00
11/18/2022	Review of Application for Chrisopher Arisco, Esq. for Pro Hac Vice admission	0.20	\$65.00
11/18/2022	Review of Pro Hac Vice admission of Owen Babcock, Esq	0.20	\$65.00
11/19/2022	Preparation and filing of Status Report for Debtor.	0.20	\$65.00
11/22/2022	Preparation for and attendance of Status Conference before Judge Sherwood.	2.00	\$650.00
11/29/2022	Phone call with Donna Thompson, Esq. for AFC on MFR and proposal for consent order.	0.30	\$97.50

11/29/2022	Preparation of Certification In Opposition To Stay Relief Motion of AFC	1.30	\$422.50
11/29/2022	Review of Objection To Confirmation of Plan from JP Morgan Chase.	0.20	\$65.00
11/30/2022	Review of Orders Authorizing Pro Hac Vice admission for Babcock and Arisco.	0.20	\$65.00
12/06/2022	Phone call with Donna Thompson, Esq. on MFR for AFC.	0.20	\$65.00
12/07/2022	Review and discussion with client on Objection to Motion For Joint Administration filed by US Trustee.	0.30	\$97.50
12/12/2022	Phone call with John O'Boyle, Esq. on upcoming hearing on Wednesday regarding status conference, motion for stay relief, motion for conversion and motion for joint administration of case.	0.30	\$97.50
12/12/2022	Preparation and forwarding of emails to all floorplan lenders on their position on a sale of all inventory free and clear of liens. Review of response on same.	0.30	\$97.50
12/13/2022	Conference call with John O'Boyle, Esq. Peter D'Auria, Esq. and Mark Politan, Esq. on motions to be heard and Trustee's objection to same.	0.80	\$260.00
12/13/2022	Review of Lease Agreement with new tenant for Rahway location.	0.30	\$97.50
12/13/2022	Preparation of email and response thereto of email with with Donna Thompson, Esq. regarding AFC MFR.	0.20	\$65.00
12/13/2022	Phone call with Donna Thompson, Esq. regarding AFC MFR.	0.10	\$32.50
12/14/2022	Attendance at Status Conference for case, and hearings on joint administration, conversion of individual cases.	1.20	\$390.00
12/14/2022	Phone call with Mark Politan, Esq. about sale request through plan.	0.20	\$65.00

12/14/2022	Phone call with Alex DaCosta, regarding lease agreement for location, retainer needed for Sub 5 Trustee, continuation with insurance.	0.30	\$90.00
12/14/2022	Phone call with Donna Thompson from AFC and discussions on stay relief motion and resolution on other vehicles.	0.20	\$65.00
12/18/2022	Phone call with Alan Atkins on vehicle list and review of the inventory.	0.30	\$97.50
12/19/2022	Review of Order Granting Stay Relief From AFC.	0.10	\$32.50
12/20/2022	Review of Alan Atkins appraisal report.	0.40	\$130.00
12/20/2022	Phone call with Carmine Zeccardi on sale option of vehicles.	0.30	\$97.50
12/21/2022	Phone call with John O'Boyle, Esq. on BAV and conference with clients to prepare the plan.	0.30	\$97.50
12/21/2022	Preparation of Retention Application for Alan Atkins, Esq.	0.60	\$195.00
12/21/2022	Review of IRS correspondence and missing returns needed. Forwarded same to client and recommended accountant.	0.20	\$65.00
12/21/2022	Preparation of Fax to IRS Bankruptcy Unit and submitted 2019 Return.	0.20	\$65.00
12/21/2022	Call with George from Giordano Auto Sales on purchase of vehicles free and clear.	0.30	\$97.50
12/21/2022	Review of Order Granting Motion To Convert Case to Chapter 11.	0.20	\$65.00
12/28/2022	Meeting with client and JOB regarding preparations for Joint Plan and all claims filed.	3.50	\$1,137.50
12/28/2022	Review of emails for Alex email on vehicles that liens were not paid on a trade in.	0.30	\$97.50
12/28/2022	Preparation and filing of Retention Application of A. Atkins Appraisal Corp.	0.70	\$227.50
12/28/2022	Review of appraisal report of A. Atkins.	0.60	\$195.00
12/31/2022	Review of all secured creditors and related security agreements, promissory notes, UCC-1 Filings	4.50	\$1,462.50

	and dates of recording to determine priority of liens understanding extent and validity of liens.		
01/02/2023	Organization and preparation of details and review of all notes for Plan preparation.	5.40	\$1,755.00
01/03/2023	Preparation and modification of joint Plan with John O'Boyle, Esq. , review of personal bankruptcy docket and understanding creditors on individual side and its affect on BAV Auto LLC business side. Review and preparation of treatment of different classes of creditors and collaboration with John O'Boyle, Esq. on final details before filing.	12.30	\$3,997.50
01/03/2023	Email to UCC filing services for obtaining identity of various UCC-1 Lienholders and balances owed.	0.20	\$65.00
01/04/2023	Phone call with John O'Boyle, Esq. on changes for plan and review of same. Email offer from Giordano Auto Sales on Car Inventory.	0.20	\$65.00
01/04/2023	Phone call with John O'Boyle, Esq. on last minute revisions for plan. Need to file a notice of appearance in the individual case.	0.10	\$32.50
01/05/2023	Preparation and filing of Notice Of Appearance of BAV in individual case.	0.20	\$65.00
01/05/2023	Preparation of letter to Mark Politan, Esq. forwarding deposit on this fees. Email to Mark Politan, Esq. regarding same.	0.20	\$65.00
01/05/2023	Review of Order Granting Alan Atkins as Appraiser.	0.10	\$32.50
01/05/2023	Review of Order Setting Deadlines and Scheduling Confirmation Hearing. Emailed same to client for review.	0.20	\$65.00
01/10/2023	Phone call with George Lawler from Giordano Auto Sales on purchase and need for proof of funds.	0.20	\$65.00

01/15/2023	Review of Mark Politan, Esq. fee application.	0.20	\$65.00
01/16/2023	Phone call with John O'Boyle, Esq. on adjournment of Motion For Joint Administration.	0.20	\$65.00
01/17/2023	Review of Motion For Relief From Stay from Auction Credit Enterprises and forwarded to client for discussion on same.	0.40	\$130.00
01/18/2023	Phone call with John O'Boyle, Esq. on adversary proceedings filed against Alex and Vivianne individually and conference call with Mark Politan, Esq. on Thursday.	0.40	\$130.00
01/19/2023	Phone call with Mark Politan, Esq. and John O'Boyle, Esq. regarding concerns	1.10	\$357.50
01/19/2023	Preparation of Motion To Approve Sale Free and Clear Of Liens	1.00	\$325.00
01/27/2023	Commenced with preparation of Motion To Approve the Sale of the Debtor's Vehicle Inventory Free and Clear of Liens.	9.80	\$3,185.00
01/28/2023	Review of Objection To Confirmation From US Trustee and AFC and forwarded to same for client review.	0.50	\$162.50
01/29/2023	Finalization of Motion To Approve Sale of Debtor's Inventory Free and Clear of Liens. Preparation of Order and Application To Shorten Time and filing same with court and notification sent to Chambers.	3.20	\$1,040.00
01/29/2023	Phone call with Carlos Marzan of CAM Accounting regarding potential retention for open taxes and filing of operating reports.	0.20	\$65.00
01/29/2023	Preparation of email with attachments of all bank statements and taxes filed and emailed to Carlos Marzan.	0.20	\$65.00
01/29/2023	Preparation of email to George Lawler from Giordano Auto Sales on filed motion and need for proof of funds for purchase.	0.20	\$65.00

01/30/2023	Phone call with John O'Boyle, Esq. on filing of the motion to approve the sale of the vehicle inventory and request for hearing date and possible postponement of confirmation hearing.	0.30	\$97.50
01/31/2023	Review and response to emails on the sale motion with John O'Boyle, Esq. and Mark Politan, Esq.	0.20	\$65.00
01/31/2023	Review of objection to Confirmation of Plan by Westlake Flooring Company.	0.30	\$97.50
01/31/2023	Review of Objection To Confirmation of Plan by XL Funding, LLC	0.20	\$65.00
02/01/2023	Receipt and review of various emails with Chambers regarding the proposed Order Shortening Time and dates for hearings.	0.20	\$60.00
02/01/2023	Review of Order Shortening Time and compliance with same on proper service to all parties.	0.30	\$97.50
02/02/2023	Review of subpoena. Preparation of Letter to Vital Shah of the NJ Department Of Labor responding to Subpoena and sent via email and regular mail.	0.50	\$162.50
02/07/2023	Preparation for hearing on Joint Administration of BAV Case and Individual Case. Status Conference For Antunes/DaCosta.	0.80	\$260.00
02/07/2023	Phone call with John O'Boyle, ESq. on hearings for Tuesday and issue with concerns of Alex DaCosta.	0.30	\$97.50
02/07/2023	Phone call with John O'Boyle, Esq. on hearing and issues on sale motion for 2/14.	0.10	\$32.50
02/08/2023	Review of various objections to motion to sell Debtor's Inventory Free and Clear of Liens and preparation of response to same.	1.70	\$552.50
02/10/2023	Phone Call with John O'Boyle, Esq. on Buyer not cooperating. Will need to withdraw the motion.	0.30	\$97.50

02/10/2023	Phone call with Alex DaCosta on Olympic Payroll Service on W-2 and Sale Motion.	0.30	\$97.50
02/13/2023	Preparation and filing of Status Change Form withdrawing Motion To Sell Vehicles Free and Clear Of Liens.	0.20	\$65.00
02/13/2023	Preparation of email to Chambers and all interested parties of withdrawal of motion to sell inventory and filing of certification of service on motion.	0.30	\$97.50
02/13/2023	Review of Order Granting Joint Administration of case.	0.20	\$65.00
02/14/2023	Preparation for and attendance of Status Conference for matter and informing the Court of where matters stand.	0.80	\$240.00
02/14/2023	Preparation of Operating Reports For October through January, 2023 and Exhibit A and F for filing. Email to client to authorize same and for final review.	0.90	\$292.50
02/14/2023	Phone call to Olympic Payroll to discuss release of W-2 for employees.	0.20	\$60.00
02/17/2023	Meeting with Alex and JOB on amendments to Plan and proposed payments to be made going forward.	2.40	\$780.00
02/21/2023	Review of Modification of Plan and new terms for better dividend to creditors.	0.60	\$180.00
02/23/2023	Phone call with John O'Boyle, Esq. on retention of accountant and modifications to plan.	0.20	\$65.00
02/24/2023	Review and preparation of Monthly Operating Reports for October through December.	0.80	\$260.00
02/28/2023	Review and comments for First Modified Plan.	0.70	\$227.50
03/02/2023	Conference call with John O'boyle, Esq. and Mark Politan, Esq. on modified plan and current claims. Discussion of maximizing surrender value on vehicles. Seeking adjournment request.	1.20	\$390.00

03/15/2023	Review of Joint Debtor's Motion To Seller 1988 BMW Free and Clear of Liens on shortened time.	0.30	\$97.50
03/16/2023	Phone call with John Oboyle, Esq. on plan revisions.	0.30	\$97.50
03/20/2023	Phone call with John O'Boyle, Esq. on need to get consent orders circulating to get vehicles off of the lot. Proposal of resolutions on adversay proceeding extending time and modified plan terms. Phone call discussion with Owen Babcock, Esq.	0.50	\$162.50
03/24/2023	Phone call with John Oboyle, Esq. on modified plan and accountant for retention.	0.40	\$130.00
03/24/2023	Review of Claims of IRS and NJ Division of Taxation with estimated figures. Email same to proposed new accountant.	0.30	\$97.50
03/28/2023	Review of Objection To Confirmation Of Plan filed by IRS and discussion with client on concerns raised.	0.30	\$97.50
03/30/2023	Phone call with John O'boyle, Esq. on need for increase in plan payment and consent to stay relief for vehicles.	0.30	\$90.00
04/02/2023	Review of modified plan and comments on revisions to same with John O'Boyle, Esq. for comment.	0.60	\$195.00
04/03/2023	Preparation of Retention Application For Guzman Consulting LLC as Accountants for Debtors.	0.90	\$292.50
04/03/2023	Phone call with Alex DaCosta regarding need to increase initial Plan payment to \$125,000.00. Discussion on funds from sale of BMW.	0.20	\$65.00
04/04/2023	Phone call with George Guzman and review of operating guidelines, IRS proof of claim and NJ Division Taxation Proofs of Claim. Discussed certification for retention of professional and needed assistance with unfiled returns.	0.60	\$195.00

04/04/2023	Phone call and email to Erica Hamlin of NJ Division of Taxation regarding NJ Proof of Claim and request for Sales and Use tax returns.	0.20	\$65.00
04/04/2023	Various emails prepared to George Guzman, proposed accountant for Debtors forwarding all banking records in my possession.	0.30	\$97.50
04/04/2023	Review and response to John O'Boyle, Esq. emails regarding IRS and NJ Taxation claims. Updates on the 2nd modified plan.	0.20	\$65.00
04/04/2023	Review of 2nd Modified Plan and comments to John O'Boyle, Esq. regarding same.	0.40	\$130.00
04/20/2023	Review of emails from Chambers and request to update Retention Application of Guzman as accountant.	0.40	\$130.00
04/24/2023	Conference call with John O'Boyle, Esq. and client on moving these vehicles on the lot and Lamborghini that needs to be surrendered.	0.70	\$227.50
04/30/2023	Review of Mark Politan, Esq. Fee Application.	0.20	\$65.00
05/02/2023	Updated the retention application of Guzman Consulting as accountant and forwarded same to chambers.	0.60	\$195.00
05/02/2023	Preparation of email to George Guzman on concerns court has on retention application.	0.20	\$65.00
05/03/2023	Phone call with John O'Boyle, Esq. on plan objections and amended retention application and clarification of fees for accountant.	0.30	\$97.50
05/05/2023	Phone call with Donna Thompson, Esq. on AFC vehicles remaining on the lot and consent for stay relief. Request for a list of remaining AFC vehicles from client.	0.30	\$97.50
05/05/2023	Phone call with Joseph Lemkin, Esq. on Order for Stay Relief and	0.30	\$97.50

	arranging for retrieval of these vehicles. Review of Order with counsel to determine specific vehicles to be recovered.		
05/22/2023	Meeting with Client and John Oboyle, Esq. on need to further adjourn confirmation and increase distributions to creditors if possible. Reviewed filed objections and avenues to resolve.	1.70	\$552.50
06/01/2023	Review of all business records to determine vehicles currently in stock and who is the lienholder on same.	0.60	\$195.00
06/01/2023	Phone call with client on review of all excel spreadsheets for determining lienholder on current vehicles in stock.	0.40	\$130.00
06/01/2023	Email to John O'Boyle, Esq. and Donna Thompson, Esq. on current AFC vehicles and request to propose consent order to recover remaining vehicles in stock.	0.20	\$65.00
07/09/2023	Preparation of Consent Order Vacating Automatic Stay for retrieval of AFC Vehicles and email to Donna Thompson, Esq. on proposed Order.	0.80	\$260.00
08/01/2023	Phone call with John O'Boyle, Esq. on outstanding taxes and need to adjourn.	0.50	\$162.50
08/03/2023	Phone conference with Peter D'Auria, Esq. from the US Trustee's office and concerns on matter case and being reviewed for conversion or dismissal.	0.50	\$162.50
08/17/2023	Review and response to email from Judge Steckroth's Chambers on language of proposed AFC Order Vacating Stay.	0.20	\$65.00
08/17/2023	Email to Donna Thompson, Esq. on Chambers' concern on the proposed Order and needed changes to submit back to Chambers.	0.20	\$65.00
08/28/2023	Phone call with John O'Boyle, Esq. on concerns with Consent Order and case moving forward.	0.20	\$65.00

08/30/2023	Review of US Trustee's Motion To Convert or Dismiss BAV Auto Case and preparation of response to same for anticipated filing before hearing date. Review of relevant case law.	2.20	\$715.00
		133.60	\$45,483.50

Amount	+ Tax	- Payments Received	= BALANCE DUE
\$45,483.50	\$ 0.00	\$ 0.00	\$45,483.50

With compliments
The Law Offices of Steven D. Pertuz LLC

Steven Pertuz